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Promotion and protection of human rights:
Convention on the Rights of Persons with Disabilities

Status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

Report of the Secretary-General

Summary

The present report is submitted in response to General Assembly resolution 61/106, by which the Assembly adopted the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto. As requested by the Assembly, a brief overview of the status of the Convention as at 3 August 2007 is presented. The report also contains a brief description of technical arrangements on staff and facilities made necessary for the effective performance of the functions of the Conference of States Parties and the Committee under the Convention and the Optional Protocol, and a description on the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system. Recent efforts of the United Nations and agencies to disseminate information on the Convention and the Optional Protocol are also described.

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I. Introduction

1. By its resolution 61/106 of 13 December 2006, the General Assembly adopted the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto. The Assembly urged Member States to consider signing and ratifying the Convention and the Optional Protocol as a matter of priority. The Assembly also requested the Secretary-General to submit to the General Assembly at its sixty-second session a report on the status of the Convention and the Optional Protocol; to implement progressively standards and guidelines for the accessibilities of facilities and services of the United Nations system; and requested the United Nations agencies and organizations to undertake efforts to disseminate information on the Convention and the Optional Protocol. The present report is submitted in response to that resolution.

2. The present report is organized as follows. In section II, a brief overview of the status of the Convention as of 3 August 2007 is presented. It should be noted that the number of signatories to and ratifications of the Convention may have increased in the interval since the report was written.[1] The section also contains a brief description of technical arrangements on staff and facilities made by the Secretary-General necessary for the effective performance of the functions of the Conference of States Parties and the Committee under the Convention and the Optional Protocol. Section III provides a brief description on the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system. In the final section of the report, recent efforts of the United Nations and agencies to disseminate information on the Convention and the Optional Protocol are described.

II. Status of the Convention on the Rights of Persons with Disabilities

3. The General Assembly, in its resolution 56/168 of 19 December 2001 established an Ad Hoc Committee "to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on the holistic approach in the work done in the fields of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development". The Ad Hoc Committee first met in July 2002, and at its second meeting in June 2003 decided to establish a Working Group with the aim of preparing and presenting a draft text of a convention that would be the basis for negotiation by Member States. The Working Group met for a two-week session in January 2004, and finalized the preparation of a full draft text. In its resolution 58/246, the General Assembly requested the Ad Hoc Committee to begin negotiations on a draft Convention. The Ad Hoc Committee met twice yearly, and on 25 August 2006 the Committee, during its eighth session, adopted the draft text of the Convention on the Rights of Persons with Disabilities, including an optional protocol, as a whole, without a vote. At the resumed meeting of its eighth session on 5 December 2006, the Committee forwarded the draft final report with the text of the Convention on the Rights of Persons with Disabilities, as amended,

[1] The most recent number of signatures and ratifications will be posted on http://untreaty.un.org.

and the Optional Protocol, to the General Assembly for adoption. On 13 December 2006 the General Assembly adopted the Convention and the Optional Protocol thereto, by its resolution 61/106.

4. At the opening for signature ceremony on 30 March 2007, 81 States and the European Community signed the Convention. A further 44 States signed the Optional Protocol. Jamaica also ratified the Convention on 30 March 2007. The total number of actions undertaken at that ceremony in relation to both the Convention and the Protocol were 127, the highest number of treaty actions ever reached at an opening for signature ceremony.

5. As at 3 August 2007, 100 States, and the European Community, have signed the Convention, and 56 States have signed the Optional Protocol (see the annex to the present report). Besides Jamaica, Hungary has also ratified the Convention. El Salvador, Malta and Poland made reservations upon signature, and Belgium, Egypt, Malta and the Netherlands made declarations at the time of signature.[2] In accordance with its article 45, the Convention shall enter into force on the thirtieth day after the deposit of the twentieth instrument of ratification or accession. In accordance with its article 13, the Optional Protocol will enter into force on the thirtieth day after the deposit of the tenth instrument of ratification or accession.

6. The Convention has provided a unique opportunity for collaboration between the Department of Economic and Social Affairs and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Significantly, the Convention recognizes the human rights of persons with disabilities and identifies the principal developmental measures that States must take to ensure these rights. By adopting a human rights approach to development, this process has enabled both the Department and OHCHR to work together closely and capitalize on their respective expertise. This collaboration will continue during the implementation phase of the Convention. It is thus foreseen that the Committee on the Rights of Persons with Disabilities will be serviced in Geneva by OHCHR, while the Conference of States Parties will be serviced in New York by the Department. This will ensure that the Convention will benefit from the expertise of each of the two entities, as well as ensure an active and ongoing role for both the Department and OHCHR during the implementation stage.

7. It should be noted that programme budget implications of the adoption of the Convention are contained in a statement by the Secretary-General (A/C.5/61/15) of 7 December 2006. That statement describes the financial impact of activities required under the Convention, such as the Conference of States Parties to the Convention; sessions of the Committee; processing of the reports submitted by the States parties to the Convention; handling communications from individuals, and consideration by the Committee of violations by States parties under the Optional Protocol; and accessibility of facilities and services consistent with the Convention.

III. Action undertaken on standards and guidelines

8. In its resolution 61/106, the General Assembly requested the Secretary-General to implement progressively standards and guidelines for the

[2] Declarations and reservations are found on the following website: http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterIV/treaty26.asp.

accessibility of facilities and services of the United Nations system, including major renovations. Accordingly, the United Nations Secretariat has begun to explore ways of fulfilling its obligations under the Convention.

9. The approach of the Secretary-General is that these standards and guidelines are considered in three main categories: information, including information technology; human resources, including recruitment and training processes and the management of disability among staff; and the physical facilities, including access to premises for staff, delegates, and/or visitors with disabilities. Within the Secretariat these requirements impact the Department of Public Information, the Department for General Assembly and Conference Management, the Department of Safety and Security and the Department of Management. The Secretariat also has to take into account special issues such as providing materials in the six official languages. Since this requirement applies system-wide it is an extensive and complex undertaking to assess what areas of the United Nations operations and services need to be adjusted in order to be in line with the principles and provisions of the Convention. The Department of Management is leading the initiative within the Secretariat with the Department of Economic and Social Affairs providing substantive support. The issue will be taken up by the United Nations System Chief Executives Board for Coordination (CEB), in the context of the High-level Committee on Management. To initiate the Secretary-General's plan of action to meet the requirements of the Convention, the Department of Economic and Social Affairs has begun contacting some Governments with experience in the implementation of anti-discrimination acts at the federal and state level to identify lessons learned, experiences and tools that may be of assistance in this process. In addition a Secretary-General's bulletin setting out the policy and principles will require to be promulgated.

10. The Department of Public Information has begun a number of initiatives to improve accessibility of United Nations websites to conform with web accessibility guidelines set out by the World Wide Web Consortium. Webmasters have undertaken training courses on accessibility principles and how to implement them. Upgrades have been made to the United Nations home page and to several upper layer pages. The Department has established a task force to formulate guidelines and procedures for the implementation of accessible websites throughout the United Nations system. The task force was established in July 2007 and consists of five members representing the Web Services Section. It is expected to issue draft recommendations by the end of August. In keeping with General Assembly resolutions, all new and updated web pages created by the Department, which is the manager of the United Nations website, will comply with these guidelines once they are instituted as organizational standards.

11. Moreover, the Department of Economic and Social Affairs developed its current website (http://www.un.org/esa/socdev/enable/) in 2004 in order to efficiently disseminate updates on the Ad Hoc Committee meetings drafting the Convention. Upon the adoption of the Convention, it is necessary to have a website whose style and content communicate its importance, and which embodies its principles. To that end, a new website (http://www.un.org/disabilities), to be launched in the fall of 2007, is currently being developed. The website will serve numerous functions: it will act as a portal for the Secretariat through which some of its official United Nations business will be conducted; it will facilitate communication with stakeholders; and it will disseminate good practices. To the

extent possible, the website will be accessible to a minimum of conformance level AA according to the Web Content Accessibility Guidelines set by the World Wide Web Consortium-Web Accessibility Initiative.

IV. Activities undertaken in support of the Convention

12. In its resolution 61/106, the General Assembly requested that United Nations agencies and organizations undertake efforts to disseminate information on the Convention and the Optional Protocol and to promote their understanding. The staff of the Department of Economic and Social Affairs and OHCHR have organized, and participated in, a large number of inter-agency initiatives with a view to raising awareness of the Convention with States, intergovernmental organizations and organizations of persons with disabilities. A few examples follow.

13. The Department of Economic and Social Affairs organized an "Expert Group Meeting on Ensuring Access" in support of the Convention in New York from 21 to 23 February 2007. Experts working in areas covered by the Convention were invited to participate, including representatives of organizations of persons with disabilities and United Nations agencies. The meeting gathered experts to assess and map the current knowledge and interventions in ensuring access for persons with disabilities in various areas. It also identified gaps in current interventions and areas in need of development, sources of expertise, and priorities for action, and developed recommendations and guidelines for mapping the areas of intervention on a global scale through a knowledge management system.

14. Efforts have also been made to raise awareness of the human rights of persons with disabilities within the existing human rights mechanisms. OHCHR has begun producing material to assist States in the process of ratification and implementation of the Convention. To that end, the Inter-Parliamentary Union, OHCHR and the Department of Economic and Social Affairs are currently preparing a handbook for parliamentarians on the Convention and the Optional Protocol with a view to assisting parliaments in the process of ratification and implementation. The handbook will be available in the late fall of 2007. Additionally, in July 2007, OHCHR sent out a questionnaire to representative organizations of persons with disabilities and is revising the publication *Working with the Office of the United Nations High Commissioner for Human Rights: A Handbook for NGOs* with a view to raising awareness among persons with disabilities of the international human rights mechanisms. Efforts have also been made by OHCHR to highlight ways in which the Convention and the Optional Protocol could assist States to implement provisions relating to victim assistance under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

15. The Department of Economic and Social Affairs and OHCHR have also worked to promote the Convention and the Optional Protocol at the regional and national level. Awareness-raising activities on the Convention and the Optional Protocol have taken place at OHCHR regional offices for South-East Asia (Bangkok) and Africa (Addis Ababa), and at regional conferences attended by Department staff in Brussels, Bangkok and Panama. On the request of States, OHCHR has undertaken awareness-raising activities on the Convention and Optional Protocol through its country offices in Afghanistan, Angola, Colombia,

Kyrgyzstan, Uganda and the occupied Palestinian territories. Additionally, efforts have been made by staff of OHCHR and the Department to promote the Convention at various global meetings of organizations of persons with disabilities.

16. Both the Secretary-General and the United Nations High Commissioner for Human Rights have contributed to greater awareness of the Convention. The Secretary-General, in his video-message to the Seventh World Assembly of Disabled Peoples' International in Seoul, stressed that the Convention aims to foster inclusive societies that endeavour to maximize the full potential of all its citizens. Implementation of the Convention will not only benefit persons with disabilities, but will also serve all members of society, as barriers to the enjoyment of rights are removed, while full and effective participation and inclusion are promoted. The High Commissioner has also been active in raising awareness about the Convention and the Optional Protocol. On 26 March 2007, the High Commissioner addressed a plenary Panel on the Convention and the Optional Protocol during the fourth session of the Human Rights Council. Also in March and April 2007, the High Commissioner, together with the Government of Mexico, organized an exhibition of paintings by artists from the Mexican School of Down Art, whose goals include the promotion of full participation of people with Down Syndrome in society, to mark the opening for signature of the Convention. On 30 March 2007, the High Commissioner attended the signing ceremony for the Convention and the Optional Protocol and delivered the opening address of the High-level Dialogue: "From vision to action: the road to implementation of the Convention on the Rights of Persons with Disabilities". On 16 July 2007, the High Commissioner provided a written statement for the opening of the World Congress of the World Federation of the Deaf, held in Madrid, highlighting the importance of partnership between civil society and the United Nations for the future implementation of the Convention.

17. The Office has started to worked closely with Special Rapporteurs in promoting the Convention. In November 2006, OHCHR, with the participation of the Department of Economic and Social Affairs, organized an expert seminar for the Special Rapporteur on the Right to Education on "The right to education of persons with disabilities". The Special Rapporteur presented his report to the Human Rights Council (A/HRC/4/29), which was welcomed during the interactive dialogue. In May 2007, the United Nations Educational, Scientific and Cultural Organization (UNESCO) organized a round table, with the participation of the Special Rapporteur, at its headquarters in Paris in order to raise awareness of the report and the right to education of persons with disabilities. A second seminar of this type with the Special Rapporteur on the question of torture, on the question of freedom from torture and persons with disabilities is set for December 2007. In June 2007, OHCHR provided a briefing on the Convention and the Optional Protocol to special rapporteurs in the context of the Annual Meeting of Special Rapporteurs. The special rapporteurs, in the report of the meeting, encouraged all rapporteurs to give appropriate attention within their mandates to the special challenges persons with disabilities face in the enjoyment of their human rights.

18. At the inter-agency level, at the twelfth session of the High-level Committee on Programmes of CEB in September 2006, the Department of Economic and Social Affairs introduced a note on the Convention on the Rights of Persons with Disabilities, which highlighted the Convention's significance as a paradigm shift in approaches to people with disabilities, and called for a system-wide strategy to advance its implementation. The note recommended that the High-level Committee

establish a time-bound inter-agency support group tasked with preparing such a strategy. The proposal was endorsed, and the Department was requested by CEB to convene and lead the support group (see CEB/2006/7, para. 58).

19. Progress had been made on the initial steps towards the development and establishment of this inter-agency group. On the basis of the promising development of the Convention process in the past few months, and as the Convention is expected to rapidly enter into force, it has been suggested that the High-level Committee re-examine the issue of a system-wide strategy for its implementation to strengthen the process, and to provide a more solid framework to convene the inter-agency group.

20. Furthermore, while the formal processes are in development, many other United Nations offices and agencies outside of the Secretariat have informally begun the process of internalizing the general principles of the Convention, both at headquarters and in the field. Several informal meetings between agencies have been held, hosted by the Department of Economic and Social Affairs and OHCHR, as well as the World Bank, the United Nations Population Fund, UNESCO, and other specialized agencies. For example, in February, OHCHR organized an inter-agency briefing of intergovernmental and non-governmental organizations based in Geneva to provide an update on the Convention. In June 2007, staff of OHCHR and the Department participated in a meeting hosted by the World Bank on the topic "Convention on the Rights of Persons with Disabilities: opportunities for development agencies in the infrastructure sector", which sought to discuss the roles and cooperation between various organizations on implementation of the Convention. In addition, several offices and agencies have begun a review of existing programmes in order to better support the implementation of the Convention. Many agencies have also started a process of reviewing their internal processes and procedures in order to assess accessibility and the need for adaptations based on the principles of the Convention. As many of these activities are in the planning process, it is expected that a more comprehensive overview of activities in support of the Convention by United Nations agencies can be provided in the near future.

Annex

List of signatories to and ratifications of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto as at 3 August 2007

Total number of Convention signatories: 101

Total number of Optional Protocol signatories: 56

Algeria*	Croatia*	India
Andorra*	Cuba	Indonesia
Antigua and Barbuda*	Cyprus*	Ireland
Argentina*	Czech Republic*	Israel
Armenia*	Denmark	Italy*
Australia	Dominica	Jamaica*
Austria*	Dominican Republic*	Jordan*
Bahrain	Ecuador*	Kenya
Bangladesh	Egypt	Lebanon*
Barbados	El Salvador*	Liberia*
Belgium*	Ethiopia	Lithuania*
Brazil*	Finland*	Luxembourg*
Burkina Faso*	France	Mali*
Burundi*	Gabon	Malta*
Canada	Germany*	Mexico*
Cape Verde	Ghana*	Moldova
Central African Republic*	Greece	Morocco
Chile*	Guatemala*	Mozambique
China	Guinea	Namibia*
Colombia	Guyana	Netherlands
Congo*	Honduras	New Zealand
Costa Rica*	Hungary*	Nicaragua
Côte d'Ivoire*	Iceland*	Niger*

Nigeria*	Seychelles*	The former Yugoslav Republic of Macedonia
Norway	Sierra Leone*	Tunisia*
Panama*	Slovenia*	Turkey
Paraguay*	South Africa*	Uganda*
Peru*	Spain*	United Kingdom
Poland	Sri Lanka	United Republic of Tanzania
Portugal*	Sudan	Uruguay
Qatar*	Suriname	Vanuatu
Republic of Korea	Sweden*	Yemen*
San Marino*	Syrian Arab Republic	European Community
Senegal*	Thailand	

* Denotes signature of both the Convention and the Optional Protocol. Underlined country name denotes ratification of the Convention.